



Agenda Item Number: 2004-11-5A

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: November 9, 2004

Department: Zoning, Building, Planning **Staff Contact:** Sanford Fish, Director
& Environmental Health

TITLE: Amendments to Bernalillo County Code Chapter 30, Article IV. Noise

ACTION: Introduction and motion to approve publication of an ordinance of proposed code amendments.

SUMMARY:

Bernalillo County's Noise Ordinance was adopted in 1971 and has never been amended. Changes to the ordinance were initially discussed internally in 2000. Items 3, 4, and 5, below are recommended based on a request from the automobile manufacturing industry. The remaining items are recommended by staff to update this 33-year old ordinance.

Proposed changes to the ordinance include:

1. A 10 decibel decrease in the maximum permissible night-time sound levels on commercial and industrial property to be equivalent to those allowable inside the City of Albuquerque limits.
2. Eliminating language that defines ambient noise as the higher of the limits described in the ordinance or on site measurements, instead favoring the described limits.
3. A five decibel increase in the maximum permissible sound levels produced by motor vehicles manufactured in 1980 or later.
4. The replacement of SAE test method J986 with SAE J1470 as the allowable method for determining vehicle sound levels.
5. Removing language requiring automobile manufacturers to certify in writing that their automobiles meet local standards.
6. Inclusion of car anti-theft alarms in the list of horns and signaling devices, the unnecessary and unusual use of which constitute a violation.

ATTACHMENTS:

1. **Ordinance 2004-**

COUNTY MANAGER

The proposed changes to the County's noise ordinance are appropriate, especially considering that three decades have passed since inception. I recommend Board approval of publication.

TL 11/2/04

DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES

Bernalillo County's Noise Ordinance has been reviewed and proposed changes have been recommended by staff. I recommend approval of the publication. JMB 10/14/04

DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY

The recommended changes to the Bernalillo County Noise Ordinance have been reviewed. This is the first review since its adoption in 1971. I recommend approval of the publication of the proposed changes to give the public an opportunity to provide the Commission feedback prior to further action being taken. Jdantis 9/29/04

LEGAL

Amendments approved as to form. TDC 10/11/04